

HUDSON, NH BOARD OF SELECTMEN
Minutes of the January 24, 2012 Meeting

1. CALL TO ORDER - by Chairman Jasper the meeting of January 24, 2012 at 7:00 p.m. in the BOS Meeting Room at Town Hall.
2. PLEDGE OF ALLEGIANCE - led by Tracy Carney.
3. ATTENDANCE

Board of Selectmen: Shawn Jasper, Roger Coutu, Rick Maddox, Ted Luszey

Absent: Ben Nadeau

Staff/Others: Steve Malizia, Town Administrator; Donna Graham, Executive Assistant; Jason Lavoie, Police Chief; Gary Webster, Town Engineer; Captain Avery; Captain Tousignant; Dorothy Carey

4. PUBLIC INPUT

Chairman Jasper asked if there was any member of the public who would like to address the Board on any matter over which we have jurisdiction. Seeing nothing, we will move onto recognition of Police Legal Clerk Tracy Carney for 25 years of service.

5. NOMINATIONS & APPOINTMENTS

- a) Recognition of Police Legal Clerk Tracy Carney - 25 years of service

Chairman Jasper read the following:

"Tracy Carney began her employment as a Police Dispatcher for the Town of Hudson on January 25, 1987. Since July 01, 1988 Tracy has been assisting the Legal Division as the Legal Clerk.

Tracy volunteers at the semi-annual Police Blood Drives and she bakes and serves refreshments for the runners in support of the Special Olympics Torch Run. Tracy oversees and administers the community "Operation Safe Return" program.

Tracy and her husband James reside in Litchfield with their children Brianna and Logan who attend St. Francis of Assisi in Litchfield. Tracy's husband James Carney is a Lieutenant with the Weare Police Department and is currently studying for his law degree."

Chairman Jasper presented Tracy with a Certificate of Appreciation as well as a small token of our thanks for your dedication to the Town of Hudson.

6. CONSENT ITEMS

Chairman Jasper asked if any Board member wished to remove any item for separate consideration.

Selectman Coutu asked to remove 6. B. 1.

Motion by Selectman Luszey, seconded by Selectman Maddox, to approve consent items A, B. 2., C, D and E, as noted or appropriate, carried 4-0.

- A. Assessing Items - NONE

- B. Water/Sewer Items

- 1) Water Abatement, W-UTL-10-34, 93 River Road, w/recommendation to deny

Selectman Coutu indicated that this was relative to an abatement on a water bill. I have first-hand knowledge and I want to share it with you. It appears by virtue of the information that we were given relative to this that there is in fact an error in the assessment of the reasoning for denying the abatement request. If you'll notice the address is 93 River Road. The business that is adjacent to mine. I'm going to give you some history so that you can make a decision on the basis of what I provide you.

Back in August, I was having a problem with my beer compressor and I called my HVAC man and he went out. It's an exterior unit. He went outside to work on it. He came in and said to me you have a water bubble outside. Having had a well problem at my house, I know what a water bubble is. It's water pouring up out of the ground. I went out and looked at it and I called the landlord and told the landlord apparently there's something wrong. He said it's probably my well pipe. I asked if his well pipe come in this direction. He said yes. A couple of weeks went by and my HVAC guy came back to check out the system and make sure that everything was operating properly and we weren't having any further problems. He said is anyone going to take care of this water

bubble. We went out and I noticed an excessive amount of sand coming up to the top and settling on the top. I mentioned it again to the landlord and he said he had to have that looked into. It took about 2 more weeks, now a full month, before the landlady came. She asked if there was a problem with water outside. I told her yes. Your husband seems to think it has to do something with the well. When she went out there, she said she thought it was the water pipe that goes to the Pizza Man, which is the business that adjoins me. Eventually 2 or 3 days later, they had somebody come in and dig it up. It's a convoluted method of piping. They bring both meters into my building. There's a cachet wall and the 2 meters are in the wall. Then the pipes come up across my ceiling in the back and then my piping goes into my bathroom and my triple bay sink. The other one just goes down into the floor. I always thought it went under the building and over to the Pizza Man. Apparently it goes outside underground and there's an L that takes it parallel with my building into his building. Apparently at the elbow, the elbow had let go and the water was just seeping through.

It says here that he knew about the problem in August. He didn't know about the problem in August. I knew about the problem in August. I didn't see any correlation at all with it being a pipe that went to his thinking that the landlord knew about the well that he had originally on the building. I went in and I asked Joel if he has looked at his water bill. He said no it's on my desk. I asked him to open it up and see what it is. When he saw that, his water bill I think customarily is \$23. They have a history of that. I looked at it. I said I can't tell you what to do but I would suggest that you go to Town Hall and explain the situation. Apparently he did. There might have been some confusion in the interpretation of what was said. He thought that they were going to abate it. They apparently had the impression that he had known about it all along when in fact I can attest that he did not know about it and the situation has been corrected since.

I would respectfully request that consideration be given to granting the abatement.

Selectman Luszey said if you personally didn't know about that situation and the person came to you and explained and our policy is if it goes through the meter, the customer is responsible what would your position be? Selectman Coutu said the same. I have empathy for people who have these problems. I can understand that this is not something that occurs frequently. It's quite infrequently that something like this would happen to my knowledge. Most of the abatements we normally get whether we approve them or disapprove them are primarily on the basis of the water in the summer time and not having it properly metered even though they're told that they need to get a separate meter. This is an unusual circumstance that affects a small business in our town and I would feel the same way if it were a small business or a resident.

When Selectman Coutu bought his home, as most people buy homes, you don't really know where your septic is. You don't know where your pipes come in. I know where my pipe comes in now because I had a well problem but I didn't know until I had a well problem. The same thing I didn't know where the septic pipe was until I had to go find it to have it emptied. Yes I would treat everybody the same way. That's how I feel.

First of all, Chairman Jasper said there's really nothing we can do at this point because we don't have the full abatement here. As far as I can see with the amount or anything like that, we have a recommendation from the Water Utility. In order to abate, we should know what we're talking about.

Selectman Maddox thought at the very least this should go back to the Water Utility. I think that we're kind of jumping in the middle of this. I see both sides. Again if it went through the meter, it's their responsibility. If we start doing this - again, I just think we have a policy. We should at least ask the Water Utility if this is something that they routinely do. Most times when we see it, it's already decided.

Mr. Malizia indicated that Mr. Bernard is here and I think it also went to the Water Utility already.

Chairman Jasper didn't know if Selectman Coutu's...Mr. Malizia said - explanation was given to the Water Utility. That's the one piece we don't know. Chairman Jasper asked if Selectman Coutu had an opportunity to talk to the Water Utility. The amount of the abatement request is \$729.30. I have a lot of sympathy for the individual. He didn't know. Ultimately to me somebody besides the rate payers should be responsible. That should be the landlord who was notified and chose not to do anything. That's the problem. I had a situation recently. I'm not on town water but I have a tank with a bladder in it. Well the bladder went which caused the tank to fill up with water so every time somebody drew water the pump came on and it burnt out the pump. By the time I was done, it cost the business \$2,300. I didn't know but I have to pay the bill. This is one of those things where it is tough because it was after the meter. Someone did know about it and the landlord in this case chose to do nothing about it. Do we say well every time somebody just ignores a problem we're responsible? I think this is a case where the guy needs to go after the landlord and say you knew about the problem, you didn't do anything, it's costing me this money. I don't really think this is the Town's problem. We do have the paperwork here. We can send approve it. We can send it back or we can deny it. The Chairman awaits a motion.

Motion by Selectman Coutu to grant the abatement in the amount of \$729.30.

Seeing no seconder, the motion dies for a lack of a second.

Motion by Selectman Coutu, seconded by Selectman Luszey, to refer the abatement back to the Water Utility Committee for reconsideration, carried 4-0.

- 2) Water Abatement, W-UTL-10-33; W-UTL-10-35; W-UTL-10-36, w/recommendation to approve

C. Licenses & Permits

- 1) Hawker/Peddler/Itinerant Vendor's License by Glenn Smeltzer
- 2) Raffle Permit by St. Kathryn Church
- 3) Request to Solicit Funds by Teen Challenge of New England

- 4) Request to Solicit Funds by Brownie Troop #63175, Tyngsboro, MA

D. Acceptance of Minutes

- 1) Minutes of the January 9, 2012 meeting

E. Calendar

01/25 7:00 Planning Board - Buxton CD Meeting Room
01/26 2:45 Trustees of Trust Fund - Buxton CD Meeting Room
01/26 7:30 Zoning Board of Adjustment - Buxton CD Meeting Room
02/01 7:00 Planning Board - Buxton CD Meeting Room
02/02 6:30 Recreation Committee - BOS Meeting Room
02/02 7:00 Benson Park Committee - BOS Meeting Room
02/04 SCHOOL DELIBERATIVE SESSION - Community Center
02/07 7:00 Board of Selectmen - BOS Meeting Room
02/08 7:00 Planning Board - Buxton CD Meeting Room
02/09 5:00 Sewer Utility Committee - BOS Meeting Room
02/09 7:30 Zoning Board of Adjustment - Community Development Meeting Room
02/11 TOWN DELIBERATIVE SESSION - Community Center
02/13 7:00 Conservation Commission - Community Development Meeting Room
02/14 7:00 Board of Selectmen - BOS Meeting Room
02/15 5:00 Water Utility Committee - BOS Meeting Room
02/15 7:00 Council on Aging - Buxton CD Meeting Room
02/16 7:00 Benson Park Committee - BOS Meeting Room
02/16 7:30 Budget Committee - Buxton CD Meeting Room
02/20 TOWN HALL CLOSED - PRESIDENTS' DAY
02/21 7:00 Cable Utility Committee - BOS Meeting Room
02/22 7:00 Planning Board - Buxton CD Meeting Room
02/23 2:45 Trustees of Trust Fund - Buxton CD Meeting Room
02/23 7:30 Zoning Board of Adjustment - Buxton CD Meeting Room
02/27 6:00 Recycling Committee - BOS Meeting Room
02/28 7:00 Board of Selectmen - BOS Meeting Room

7. OLD BUSINESS

A. Votes taken after Nonpublic Session on January 9, 2012

- 1) Chairman Jasper indicated that during Nonpublic Session there was a Motion by Selectman Coutu, seconded by Selectman Luszey, to approve Chief Murray's request to be paid for 40 hours of his earned vacation time at his current rate of pay, carried 4-1 with Selectman Maddox in opposition.
2) Motion to adjourn at 8:18 p.m. by Selectman Coutu, seconded by Selectman Luszey, carried 5-0.

8. NEW BUSINESS

A. Use of Community Center for Mal's Pals Fundraiser

Chairman Jasper to recognize Town Administrator Steve Malizia.

Mr. Malizia indicated that you have in front of you a request from the Mal's Pals organization to use the Community Center and to waive the fee. I've invited Laurie Bowen to come in case you have any questions. Again, this is a fundraiser for the Amphitheater at Benson Park. Again a little publicity, a little advertising and Ms. Bowen could come to the meeting. Again, they're looking for obviously permission to use the hall, which is available, and to waive any fees.

Good evening. Thank you for seeing me. Ms. Bowen asked if anyone had any questions about the fundraiser we're looking to hold. Selectman Coutu asked what is it. Ms. Bowen said it is a ladies home party night, night out on the town. As most of you know, your wives get invited to home party nights all the time. Instead of getting called away every Friday and Saturday night for the next 6 months, we were hoping to do it all in one night setting up an area where all of the home party night vendors could come in, set up a table, display their wares, have a chance to be advertised as a group for an enormous amount of people hopefully and have a door prize contest so that we would charge people to get in with a little bit of a fee but they would be able to casually walk around and not feel any pressure to shop but have the availability to shop at all of the different vendors trying to use most Hudson residents, mostly women that are home party vendors so that they also have a chance to help us out as most of them have contacted one or all of us on our group that they would like to help out our group raise money for the Amphitheater.

Selectman Coutu asked Ms. Bowen to explain a little about the Amphitheater. Ms. Bowen said she would love to explain a little bit about the Amphitheater. Thank you. The Amphitheater is going to be built at Benson Park down by Swan Pond where the original 3-ring Amphitheater was when the park was open a long time ago. Our goal is to recreate a smaller Amphitheater than what was there - about 32 to 30 feet across so that our Town has a beautiful area for a band stand for people to go and sit in the shade and enjoy the pond, for the Alvirne High School to be able to go have concerts there, possible weddings, or anything like that to really create an area that people would be able to enjoy the park and create a focal point for the park.

Selectman Coutu said we're dedicating this to? Ms. Bowen said to Malary Gray. She was a student here in town who passed away a couple years ago.

Motion by Selectman Coutu, seconded by Selectman Luszey, to allow Mal's Pals to use the Hudson Community Center on March 9, 2012 and to waive the rental fee for a fundraiser to benefit the Benson Park Amphitheater Project, carried 4-0.

Chairman Jasper wished her luck. Ms. Bowen thanked the Chairman. I hope you will all join us on February 11 at our cardboard sled race.

B. Use of Community Center by Hudson Junior Woman's Club for annual Candidates Night and Bunny Breakfast

Chairman Jasper to recognize Town Administrator Steve Malizia.

Mr. Malizia said this is a perennial request. As you are well aware, the Junior Woman's Club sponsors Candidate Night and they also sponsor a Bunny Breakfast for families in Hudson. Again, this is an annual request that has been approved in the past.

Motion by Selectman Coutu, seconded by Selectman Maddox, to allow the Hudson Junior Woman's Club to use the Community Center on February 23, 2012 for Candidates Night and in March 24, 2012 for a Bunny Breakfast and to waive the rental fee, carried 4-0.

C. Public Hearing - Acceptance of a \$750 donation for the purchase of a protective K9 vest

Chairman Jasper recognized Captain Avery.

Good evening. Captain Avery said that they have been given a donation or being asked to accept a donation from a company out of New Mexico, which will give the dog extra protection if the need be during its course of duty. The protection being offered is a bullet proof vest that is stab resistant as well as bullet resistant. The company is offering this to the Police Department and the cost as Chairman Jasper said \$750.

Chairman Jasper opened the public hearing at 7:20 p.m.

Does anyone in the audience wish to speak on this donation? Seeing there is no one.

Chairman Jasper closed the public hearing at 7:20 p.m.

Motion by Selectman Maddox, seconded by Selectman Luszey, to accept a \$750 K9 vest donation from Vest N' P.D.P., Inc. for the Hudson Police Department K9 Unit, carried 4-0.

D. Sewer Allocation, 297 Central Street, Map 160, Lot 105

Chairman Jasper recognized Town Engineer Gary Webster.

Mr. Webster has had a request on 297 Central Street for a sewer allocation for a proposed restaurant that they're putting in there. The lot has an allocation already and has never been paid for. They're putting in a 100 seat restaurant in there and I think I have the breakdown of 100 seats and 20 gallons per seat, 10 full time employees, and a part time. The total that we're asking for, the new allocation, would be 1,110 gallons per day, which is added on to the allocation that's already been allocated for lot 1,140 gallons per day. They will be paying the entire sewer allocation in that amount because it has never been paid for. They have to pay for all the new sewer that they're using.

Selectman Maddox said that this has not yet made it through the Planning Board. If it does not get its approval, then this would revert back. They only pay for it once they get the building so that we don't have this hanging in the books.

Mr. Webster said one thing that they try to do is they try to get the allocation before they go to the Planning Board so at least they know they have it. If we don't give it to them, why go through the motions.

Selectman Maddox said we had seen before that we had people that has allocations that we were trying to get back. It would be senseless to give one out if they didn't have a restaurant to put there.

Motion by Selectman Luszey, seconded by Selectman Coutu, to grant the request for an additional sewer allocation of 1,110 gpd for a total allocation of 2,250 gpd, for an unpaid balance totaling \$7,942.50, for a 100 seat restaurant located on Map 160, Lot 105, 297 Central Street, carried 4-0.

E. West Road Landfill, GZA Addendum No. 23

Chairman Jasper recognized Town Engineer Gary Webster.

Mr. Webster has been in contact with GZA. This is an addendum to the existing contract we have with them. Our observation wells out there have been destroyed or they can't find. There are some that they can repair and some they have to do new wells. They gave me a brand new addendum. If you look in the back, it kind of specifies for the well that this also includes the report they have to do every year and the water testing that they have to do out there. DES has had one of the requests on part of this because the wells are missing and the missing testing to do the landfill. These are all downgrade. I've given you a map of where you can see where it goes back into the swamp from the landfill. Down grading is where they have to put the wells and they have the numbers here. They can get in there with their drill machine that goes in there and actually puts the new wells in to test the ground water. It's part of the DES request that they do this. The total amount was \$19,910 for all the work up to next year. That includes the report for DES for their solid waste landfill report that they have to do. When I first looked at it, I said you don't have enough money. Then I read the whole contract and it's for the entire work that they have to do for the rest of the year. We will have a surplus in that account after we're all done. It's pretty extensive. I should have been here earlier with it but I had to go over it quickly to get the grasp on the whole thing. That was something they sent out and is something that we have to take care of.

Motion by Selectman Luszey, seconded by Selectman Coutu, to approve GZA's Addendum No. 23 to the existing contract dated February 15, 1991 in the amount of \$19,910 for water quality monitoring and reporting, ground water management permit renewal application to NHDES, and Landfill Inspection Report to Solid Waste Management Bureau. Said funds to come from line item 5555-264-000, Solid Waste Management Water Quality, which has a balance of \$24,149.61.

Selectman Maddox told the Chairman that it does say that "this budget estimate". This could go either way. Mr. Webster said they don't give him it like other contracts. They do put the costs in there if something else happens out there beyond what they're estimating. It doesn't say this is the...like some quotes we get, we make them do that. I think they feel it's hard sometimes to give an exact quote. They know the machinery costs and so forth but something else could happen out there unforeseen by them or us. Obviously if they have something, they have to notify me and I'd probably have to come back to you.

Mr. Malizia indicated that there was \$24k in the account. This is the more mature of the two landfills. So we know better what we're doing. We've been monitoring it now for about 20 years. Some crazy number like that. Traditionally GZA when they've given us a number, I would say 90 percent of the time of the time that I've seen, they're under. I'm confident and comfortable and if something does change, we'll come back to the Board.

Selectman Maddox asked if we can have them GPS those locations so that the next time we will be able to find them. Mr. Webster said if they can't we will. I'll ask that question. If they don't, that's something that we can do and have it on our maps ourselves.

Vote: Motion carried 4-0.

F. Ferry & Library St/Highland/Library St & Derry Rd - Design and Construction of traffic lights, NHDOT #20245 project

Chairman Jasper recognized Town Engineer Gary Webster.

As you know, Mr. Webster said that this has been a two-year project we've started. We finally got funding for the CMAQ project. Steve and myself went up there to meet Mr. Rose. We have an agreement with DOT now. Part of the agreement is we had to go out for a consultant, advertise for a consultant. We had 5 consultants. Steve Malizia the Town Administrator, Town Planner, and I interviewed all 5 consultants - a day long interview. All of them were excellent. We rated them. We had a tie between first place - CLD and GPI. I did a tie breaker on the first place votes and we came up with 6 to CLD. All the consultants were excellent. We need approval for them to be the consultants. Also once you as Selectmen approve it, I have to send packet with evaluation sheets explaining everything to DOT for their approval. Once they do that, we can negotiate a contract with CLD. If we can't negotiate a contract with CLD, then we go to the next person which is GPI.

Just a little highlight. Mr. Webster said when we did the Library and Central Street lights out there, even though we had a little problem out there, there was an addendum to their contract to do this intersection. The same intersection that was done the RFQ for. We paid them roughly \$10,000. All the field work and all the work is already been done to go out there. One thing if we hired someone, they'd have to go out there and do all the field work all over again. It's already been done. The traffic study has been done. In fact, NRPC used the traffic studies for this site that they created CLD. They were using the same information. Not that that was any favor of picking them. They had the experience and just because they've done some of the work and it was a clean project and nobody else involved with, we had to start fresh then it might have been some different considerations to picking the consultant. It was very close. It was very hard. All the consultants were very close. It's amazing how we came up with a tie between the 3 of us. There's 3 different ways. We had to vote and when added them all up, we had a tie. The points are like 400 something and how would they get 1 point difference. We had a tie with all 3 of us. It was very cumbersome. I tried to get some help from DOT saying why don't you let them go out to bid and see who the lowest bidder was. Mr. Rose said no you have to pick somebody. I came up with the tie breaker being fair. I didn't want to pick anybody that way. We came up with a tie breaker and came out to be CLD being the consultant. That's where we were and that's why I'm here tonight to approve them as the consultant for doing the CMAQ project on the Library Park lights.

Motion by Selectman Luszey, seconded by Selectman Maddox, to approve CLD Engineering as our engineering consultant for the Ferry & Library St/Highland/Library St & Derry Road intersection design and construction of traffic lights. NHDOT will need to approve CLD as our consultant before we can begin negotiating a contract with them.

Selectman Luszey thought Gary did a great job.

The only thing Selectman Maddox had churning in the back of my mind Mr. Chairman is the end of Library and Central Streets where the fiasco that went on with the island that does not exist anymore. These are the same people. I guess Mr. Webster convinced me since we've already done the site work but it just seems like we're rewarding somebody that didn't do as good the last time.

Chairman Jasper said he certainly hears him there. I too have spoken with him and given that they have done so much of the preliminary work, it seems to make sense.

Selectman Coutu has serious reservation on the basis of what Selectman Maddox said. That's been first and foremost in the back of my mind and then having heard Mr. Webster's explanation and looking at the last 4 pages, which would be rating, I understand that it came out as a tie when we tallied all the votes. In essence what we're being told is in the process of evaluating both firms, it was determined that on the basis of points they were fairly equal. I think this is very subjective. You have two people who voted for one company and the other person scored a 1 for the other company. It's really a flip of the coin. Considering what went on at Library and Central relative to the island situation, it's always left a bad taste in my mouth. I feel that we're rewarding them. I feel that it seems to me that most of our contracts are with CLD and it's time to try somebody new. I'm going to reluctantly support with serious reservation. I will support the motion on the basis of the preliminary work that has been done. I'm going to say quite frankly and quite publicly that if something like this every came before me again that was on the basis of a tie and not that we're necessarily boxed in, we have to give some justice here to the preliminary work that's been done. I certainly would not support it in the future. I'm a little disappointed that this is the way we pick an engineering firm. You get 2 equally based on the evaluation. They're equally qualified to do the job and then here we are saying - there's a sentence in here that kind of bothered me. "Our objective has been to select the most qualified firm...The Selection Committee has chosen CLD as the best-qualified firm..." On the basis of a tied vote, that's not necessarily true. They're both equally qualified. That sentence bothers me as well. I understand the formality of language and we dispense with decision making.

Chairman Jasper said that he wished there were a way that we could negotiate - have both of them approved and negotiate with both of them to see. I'm assuming that that is not a possibility. Mr. Webster indicated that was his way to do it. William Rose from DOT told me to pick the most one you're comfortable. I didn't want to do that either with the other two. I came up with the tie breaker. How many first place votes. That's the way I did it. That way there's no influence by us saying we picked that one firm over another firm. I did it by the votes.

For all the hoops that DOT makes us jump through on things, Chairman Jasper said this is a little bit strange to say you have to pick the consultant and then negotiate a price. It isn't a very normal way of doing things. I, too, based on the fact that we've already paid them a substantial amount of money to do preliminary work which the other firm would not have, then you have to believe that this is the most economical way to do it. The problem that we had down at the end of Library Street was first where they bumped the sidewalk out. We said that's not really probably a very good idea. Selectman Maddox picked up on the fact that they had an island that probably the larger trucks couldn't get around. Of course the ladder truck could not. Selectman Coutu said the plow could not make it through. In effect, Chairman Jasper said we redesigned the intersection. All in all as part of that was that a huge thing? No but it certainly doesn't cause us to have a great deal of faith in some of their work. We'll certainly have to watch that very carefully. The rest of it came out fine and everything worked fine in the grand scheme of things. It wasn't the end of the world.

Mr. Webster wanted to add to that. We were out there when it all happened. The person who designed that project is no longer working with that firm. Not that that makes a difference but the thing is...Chairman Jasper said it makes him feel better. Mr. Webster said it does. That was the thing that after what happened out there of course it took money off the bill and so forth because it was their mistake and so forth. We needed more land out there. There was not enough land to put that in the way it was. We let it happen. They had the curbing and a trailer truck came down and hit it. That was it and the island came out that day.

Selectman Maddox said it's still confusing to this day. You can see people their heads are swiveling trying to figure out which light is theirs. Mr. Webster said really what should happen is the light should move further down on Central Street. You don't have that right angle. The island was supposed to make you the right angle. I think with the stripping, there's something but hopefully we can take inside and take care of it. We talked about the island - the one you could run over. Maybe we could put a roundabout there.

Just a procedural question. Since Selectman Luszey has no history with this firm and if the Town has history and they're not satisfied, why were they even on the list? Chairman Jasper said we have a long history with CLD. They've done a tremendous amount of work in this town and have been good work. This was one project that we weren't particularly happy with because of the fact that there were some obvious problems. As we've heard, that designer is not there. They did treat us well in that by discounting the project. I don't want to sit here and say we haven't been happy with the work that CLD has done. We had one project that we had issues with.

Just as a comment, Selectman Luszey said listening and if I was on the cable listening I would think we're very unhappy with this firm. In general, Chairman Jasper said we've been working with CLD for as long as I can remember. So literally since the early 80s CLD has been doing work for us. As a matter of fact, ultimately the Town Engineer that we had prior to Gary came to us from CLD. He was a principal in CLD. Obviously we were happy with their work and happy with his work. Selectman Luszey wanted to make the viewers to make sure that they're comfortable with what we're doing here.

Selectman Maddox indicated that you're only as good as your last project. I think that unfortunately I don't know about all of you but I never heard an explanation of how that all came to be. Again, they do do enough that it kind of outweighs that. It's just interesting that we have to pick a contractor and then get a price. It doesn't make any sense. Chairman Jasper agreed. This is crazy and certainly want to look a little bit more into this and see how something like this comes about. I assume it's probably because the State's paying a large portion of this particular project. Mr. Webster said yes they are, 80 percent. Chairman Jasper indicated they're paying 80 percent of the whole thing. Their rules and we pay the 20 percent. If this horse has been beat enough at this point. Do you have something else Gary?

Mr. Webster said one thing it was before we got into CMAQ. I actually was going to try to fix those lights on the curve just using corridor funds and no funding. They got into the CMAQ thing with NRPC. It wasn't a big price tag so that's how we got approved. I was trying to do sidewalks and it ended up it was just out of price. Actually I got all the prices from CLD when that's how we got the amount of money that we did get. Like you said and I've said it before, this was a clean project. There was nobody involved whatsoever.

Vote: Motion carried 4-0.

G. Dedication of the Town of Hudson Annual Report

Chairman Jasper indicated that we had dedicated at the December 27th meeting to Roger Boucher. Because he had died some time ago and we hadn't fully got into it, it totally slipped my mind that a major benefactor as well as long time legislator, Planning Board member had passed away earlier in the year. That would be Chief Philip Rodgers. I'd

Motion by Selectman Coutu, seconded by Selectman Maddox, to dedicate the 2011 Town Report to both Roger M. Boucher and G. Philip Rodgers, carried 4-0.

H. Auction of 47 Ferry Street

Chairman Jasper said we only had 4 bidders I believe register. There were only 3 bids. There was a bid for \$50,000; then a different bidder bid \$55,000; and then the final bid was for \$60,000, which would be buyers premium which goes to the auctioneer was \$64,750. The bid to the Town is \$60,000. The auctioneer did feel that this was a bad time of the year. He was surprised by how low the bid was thinking that it would probably bring a minimum of \$15,000 more in a spring auction. At \$60,000, I can't vote to sell that for \$60,000. I think we need to wait until the spring and try again. That house is worth much more than that.

Selectman Luszey asked what we paid for that. Chairman Jasper indicated \$200,000. I was never in favor of buying either one of them. The \$60,000 I think we'd be better off to hold on to that for a long, long time and do nothing but put a roof on it.

Motion by Selectman Luszey, seconded by Selectman Maddox, to decline the bid on 47 Ferry Street.

Selectman Luszey said he was kind of where Chairman Jasper is. I think \$60,000 is no. We'll let it sit there. I think in the spring we might have a better shot of getting more folks out and it looks like the market may be coming back a little bit. We might have an opportunity to get something. Chairman Jasper didn't believe that 4 bidders were enough. Before I recognize you, we'll say I have spoken with Selectman Nadeau and he would not be in favor of accepting this bid either. Our quandary is it appears we may be heading to a possible tie. We need to let the bidder know tonight whether we're accepting or declining his bid. I guess maybe I should have taken a positive motion and let it fail. We need to do something tonight. We can't leave it hang. Please keep that in mind.

Selectman Maddox seconded it for discussion to say we could have this discussion. We went out to sealed bid and miraculously came up with the same figure. Chairman Jasper said it was higher. Mr. Malizia said it was \$60,000 if we did certify that it was lead paint free. It was \$50,000 if we could not. The sealed bid was actually \$50,000 because there's no way we're signing anything that says it doesn't have any lead paint because we don't know that. Selectman Maddox thought we can sit on this for the rest of time. I think that with all issues going on there, we'd be better off putting it on the tax rolls and moving on giving somebody some work to rehab the place.

Chairman Jasper said that given what the auctioneer said, he thinks a spring bid would probably be better. Fifteen thousand on a \$60,000 is a pretty substantial amount. I'm willing to wait until May and do it again in May. At that point if we can't do better, I think we will need to sell it. Three bids on that house is just not acceptable to me.

Selectman Luszey said we owe it to the taxpayer to get every last dime we can out of that. We may be better off just leaving it there than selling it for that kind of money. That's giving it away. We're paying somebody to take it.

Chairman Jasper indicated that you can't buy a house lot for \$60,000. Selectman Luszey indicated that we'd be better off to bulldozer it down and selling the house lot.

Vote: Motion carried 2-1-0. Selectman Maddox opposed and Selectman Coutu abstained.

Chairman Jasper said he was not too comfortable with that but I guess that will have to do.

Mr. Malizia asked if he wanted it to come back in April for consideration for a May auction. Chairman Jasper said yes. I think that's what we'll need to do. Mr. Malizia indicated we could certainly consider it at that point if you'd like to put out to auction or not.

I. Sale of Tax Deeded Land - 6 Catalpa Drive

Chairman Jasper recognized Town Administrator Steve Malizia.

Mr. Malizia said the Town took a parcel of land at 6 Catalpa Drive which is off of Kimball Hill Road by tax deed back in June. We received a letter expressing some interest in possibly buying that. As you are well aware, Town Code allows the Selectmen to dispose of tax deeded property in one of three ways - either charitable, you can donate it; sealed bid; or public auction. This is a vacant piece of land. I put it on the Board's agenda. It adds no real strategic benefit to the Town. Given that we took it for taxes what we would be looking to accomplish is getting our tax money back and any fees or costs. Because it's less than 3 years, that's all we'll get. Any money above that number will go to the former owner. Within 3 years if you sell a tax deeded property, the Town can collect their taxes, their interest, and all their expenses - legal expenses, and whatever you've incurred and everything above that will go to the former property. After 3 years, it will all go to the Town. It's up to the Board if they'd like to put this out to sealed bid, which would be the method I'd recommend. You basically advertise you, you solicit bids, you find one you like, you accept it and if you don't, you don't accept it.

Selectman Maddox asked if they could put it on with the Ferry Street property for 2 auctions and see what the number comes to.

Chairman Jasper asked about the total amount. You said something about that's all we'll get. I'm looking for a number.

Mr. Malizia said there were taxes of \$3,523. I believe there was some interest outstanding. I don't have that in front of me. Basically any legal costs we incur to basically affect the transaction. That's what we would recover.

Chairman Jasper said the original owner has 3 years to come back if we don't sell it. If he doesn't come back within the 3 years, we get the whole boat. Why would we sell this at this particular time? Why wouldn't we keep it? I've never seen us sell a tax deeded piece early. We've always either waited until the time expired. In some cases, the people have come back within the 3 years in which case we get the same amount that we would have if were a tax sale. I suggest that we just put this one on the back burner and wait until the 3 years has expired and give the owner the opportunity to reclaim it if they wish. Otherwise, the taxpayer will benefit by getting the full amount. We don't need a motion.

J. Designation of a Selectman to post to the Town Warrant

Chairman Jasper recognized Town Administrator Steve Malizia.

Mr. Malizia said in the past it's been Selectman Massey. He's enjoyed going around to the various locations in town and pinning this on the various bulletin boards. Basically it's the Library, Community Center, Post Office, and we do it at Town Hall for him. It gets posted on the doorway at the Community Center. In theory, I could do it for you and you could say that one of you did it. It's up to you how you'd like to do it.

Motion by Selectman Coutu, seconded by Selectman Luszey, to designate Selectman Luszey, and the Town Administrator to post the Fiscal Year 2013 Town Warrant and Budget on or before January 30, 2012.

Mr. Malizia indicated that one thing I do need to know is roughly when you're going to do it. We have to put a date on this. Selectman Luszey said he could do it tomorrow.

Vote: Motion carried 4-0.

Mr. Malizia stated that if you sign it tonight, which it's here for your signature, tomorrow it would be ready for you to post. So if you'd like to post it tomorrow, you can.

K. Fiscal Year 2013 Warrant Article Speaker Designation

Chairman Jasper recognized Town Administrator Steve Malizia.

Basically, Mr. Malizia said it follows the liaison assignments. It's been the traditional pattern. I've included for your perusal the list with the exception of the operating budget which the Chairman of the Budget Committee does as you're well aware and the Petitioned Articles because that's up to the Petitioner if they want to represent what they've put on for an article. What I've done is look at the liaison assignment list and if you're comfortable with it, this would be the designation. I will communicate this to the Moderator so that he can then coordinate. That's it. It's pretty simple.

Chairman Jasper asked if we had a consensus to adopt the proposed Warrant Article Speaker Designation list. Selectman Maddox said he was just fine with it.

Selectman Luszey thought Selectman Maddox should talk to Article 9. Selectman Maddox said he could but he's doing 1 through 4. Chairman Jasper said that we don't talk about those. Selectman Maddox stated that they do at the Planning Board. Chairman Jasper said they don't talk about zoning articles and you're not talking about them there. Would you like to do Article 9. Selectman Maddox said absolutely. Chairman Jasper indicated we'll change Article 9 to Selectman Maddox. With that change, we have a consensus.

L. Employees' Earned Time Fund

Chairman Jasper recognized Town Administrator Steve Malizia.

Mr. Malizia indicated that twice a year employees have the opportunity to get paid out earned time, which hopefully serves a purpose of reducing it off the books. Again, we do it in December and we do it in June. Traditionally there's a memorandum prepared with just the amount. Right now these are all in the Budget to Actual numbers that you'll see on the next item. So we basically "absorbed" it and at this point I don't think we need to go to the Trustees to reimburse it. As you are well aware, we're still trying to build up the trust fund so that it's at some point in the future where hopefully when the interest comes back we can self fund this. For now, these have been paid. They're reflected in the Budget to Actuals. It does not appear to cause a major burden on anybody any department. When we do the June one if we see an issue, we will then talk to that separately. Perhaps move money around in the budget as we have in the past. I wanted to just put this here just so you saw it. It's identified and again, these numbers are in the Budget to Actuals that are the next item. At this point, I don't think you need to take any action.

Chairman Jasper assumed that no one would like to take any action at this time.

Selectman Maddox would like to say if you look at the numbers, and the people at home can't see this, but at one point this was down to 6 percent and even through this going to 12, 16, 20 and now 23, we're doing a much better job of hopefully getting a grasp on this expense that's been sitting out there forever.

Mr. Malizia said if we could ever get an interest climate that was favorable, it would be even better. It certainly would help. Unfortunately that's not working in our favor but we have managed to keep the money there without depleting that fund. Hopefully they can get some momentum in the future.

M. Budget to Actual

Chairman Jasper recognized Town Administrator Steve Malizia.

As a segway into Budget to Actual, I stated just a minute ago that's all in this budget. Again on this particular December, we're 50 percent obviously half way through the year. Again I continue to watch legal. At this point based on the rates that I'm seeing, we'll probably be about 20 to 30k over. However, that will hopefully be it by contingency as you can see; we're having a fairly mild winter and doesn't look like we're going to have bail out Kevin. We're pretty far through so even if he does, I believe he still has I believe enough money to cover it. Legal again because of some of the collective bargaining issues we've had to deal with and grievance issues we've had to deal with has run higher. The last month was back to sort of a more normal \$3,000. On our regular legal side, we're lucky we're not very litigious. Those aren't very litigious right now. It's most general counsel. A few modest zoning and/or tax cases that we're working through the system. Just when I looked at it today I figured probably another 20 or 30K perhaps over what we've got. Again, that's pretty modest. Beyond that, I don't see any major bugaboos. I know Kevin was recently at the FEMA workshop to get reimbursed for that. It looks like that should be coming our way and get reflected in here in the near future. We'll probably get I think 70 or 80 percent recovery from that snow storm. So that will go a long way to helping.

Mr. Malizia stated that we're looking at the revenue of the motor vehicles. I provided the charts. It's the second to last page I think for motor vehicles. We're at 47 ½ percent. So it's slightly running under the 50 percent you'd expect from a linear perspective. Generally better than last year's December. If you look we had 285 this December, 209 last December. So generally pretty reasonable. Ambulance revenues are doing pretty well. This is a month lag time so there's a month not in the ambulance right now. The month of December is not in there. It's not half way through. It's 5 months. Again, interest continues to be nonexistent. I wish I could tell you something different but that's the case there.

9. OTHER BUSINESS/REMARKS BY THE SELECTMEN

Selectman Maddox - A couple of things. This Selectman had the pleasure - I got to run into some of the Highway folks and got a tour of one of our sewerage pumping stations. Boy do I have way too much time on my hands you're saying. Again, fascinating to see. I've done a number of facilities of that kind in my career and just a testament to our employees. The care in which they maintain that facility. I was just impressed with the pride of ownership that our people have.

To that end, Friday I rode with the Police Department. The same thing. I think we read the Thumbs sometimes too much and you just see how either dumb or incompetent we are. If you take a look at what people get for the price they're paying compared to other communities, Hudson is in a great place. We have money in the bank. We have 12 or 13 paramedics on the Fire Department. A nationally accredited Police Department. When you come into Hudson, you know you're in Hudson by the plowing alone. Trash pickup at your street. Yes it's not everything you could possibly put out there but again the balance. Hudson is a great place. The more I talk to people outside of Hudson, they recognize that. I think that again the Thumbs are there for a purpose. I guess they

serve some of that. I don't think many people take the time to call in and say I just paid my taxes and my brother pays \$1,000 more in X community. This is a great place. I saw Randy Bell on Saturday. Again for what we're paying per student, the Town of Hudson does a good job. Just wanted to throw all that out because we're way behind in our Thumbs.

Selectman Maddox indicated that the other thing was fair and consistent. I think that's one of the things I've been trying to push. I know this Board when we hired the Assistant Town Administrator that was the goal. I know a number of people got letters in regards to issues with code enforcement. As long as we're being fair and consistent and that is important to me. Again I know when you get the letter, you're not pleased that you built a deck or doing a generator, but it's also there for public safety. Again, we're trying to be fair and consistent.

My final item Mr. Chairman is something that again falls in that same line. I know the Town Administrator was working on some sort of information for us for an incident that happened in November. Again that fair and consistent I hope we can hopefully wrap that up shortly and I'll just leave it at that.

Selectman Luszey - We'll talk about the senior center a little bit this evening. We had another meeting tonight as a matter of fact. We are closing in on our due date to have to this Board the request to go out for bid for the architect. I think we're in good shape for that. Part of tonight's discussion really got around to are do we have the authority to go out given the wording of the warrant article. I know we started this year with needing to have the land swap, the deed changed, and all that. It's not clear to me whether or not that work is done yet. We're looking for a status on where that might be.

Chairman Jasper indicated that he has been in contact with the Governor's legal counsel and he keeps promising me we'll have the final language on the agreement. The answer is yes we do because we do have an agreement with DOT. We have approval from DOT which was required. There is no problem. We have met the conditions put forth in the warrant article.

Selectman Luszey said it's documented and we're going to go forward with that in a minute. With that being said, one of the questions that came up this evening is the new valuation was \$76,000 I believe - the assessment and you've put together a proposal to do an in kind swap for services I guess. Should the Governor's counsel not accept that proposal, do we need to have a couple different alternatives ready to go in case? Chairman Jasper didn't think we do. The Governor is recommending it. Councilor Wieczorek is on board. DOT is on board. I would anticipate that there will be no opposition whatsoever on that. I really don't think that will be an issue. If it somehow becomes an issue, we will still have plenty of time to address that. This is in the interest of the State as well because it's work that needs to be done. They're not going to have to go out and hire a private contractor to do it. We can do it with town forces and actually not have an expenditure of funds. The only final thing was the time frame that they had left open ended. I think that sort of becomes a problem because somebody later can say you were supposed to do this meaning you were supposed to do it right away so we've requested the 5 year period in there, which the Governor's legal counsel was in support of. I'm going to see if I can get a hold of Jeff Myers tomorrow and say hey you promised me for last week. Let's get this done.

With that being said, Selectman Luszey said it looks like we'll be coming back here somewhere around the 24th with the RFP. Thank you.

Selectman Coutu - I have a couple of things. The first thing I want to do is I received a phone call shortly after our budget session. I believe it was a negotiation session. The Town Administrator was speaking and he was asked some questions which sort of took me aback when I was watching the television. Having spoken with the Town Administrator, he was taken aback by it. Comments were made by the Town Administrator that were interpreted by esteem members of our fire community. I've had this discussion with the Town Administrator as well as with the union representatives of the Fire Department. I told them that I would ask the Town Administrator to elaborate on what was said, why it was said, and explain to them that they totally misinterpreted the remarks that he made. I tried to convince them of that and I think they would feel more comfortable if the Administrator would speak to it and he has agreed to do so. He's not being caught off guard here.

When we were discussing the collective bargaining agreements, and as you are well aware Mr. Malizia said there were two that passed muster with the Selectmen that we negotiated with the Support Staff and the Supervisors. Those contracts were being discussed on one of the Budget meetings I think December 28th. One of the Budget Committee members asked a question regarding the Fire Department and I think the Police Department but the Fire Department was the lead one as to why they didn't have a contract. Generally speaking, we don't discuss why we don't have something. It's not a topic of discussion but trying to be informative, helpful, answer the question I basically tried to convey that when we were discussion the contract with the firefighters, the benefit side of things was very important to them as it is to all of our employees that they get a decent benefit package. Somewhere in the message perhaps it got garbled. Maybe I wasn't clear that that's what I was trying to convey. It seemed from my perspective and sitting in the room with the firefighters and members of the team that we spent a lot of time talking about the benefits and some of the changes the Board wanted to make. I was trying to convey that but apparently, and I didn't mean it or intend it to be confusing in any way that that's the only reason that they work here and that this is just some sort of job where that's all they are here for. I didn't mean to demean any member of our Fire Department or any other employee here. I just want to make clear that if that was what came across I apologize. That was not my intent. It was my intention just to try to answer a question that we normally don't get put on the spot to answer.

Basically from the perspective that we saw, that was an important part of the negotiations. Again, that's really what my intent was. As you are well aware, I'm not trying to impede or get in the way of any employee getting a fair and reasonable contract. Again, that's what our intent was and quite frankly, the question caught me off guard. I obviously didn't have time to prepare. I was trying to be responsive. Unfortunately if it came across some other way, I apologize for that. Again, Mr. Malizia is trying to represent the Board in these matters and again I was trying to answer a question to the best of my ability and perhaps I garbled my message.

Selectman Coutu thanked Mr. Malizia. I think Mr. Chairman having a lot of history here you well know that you've been here with former administrators in this community. I think almost unanimously people could attest, people who work for this community could

attest that they couldn't have somebody that's more fair and more balanced in his judgment and performance and what needs to be done for this town. I assured the Fire Department that Mr. Malizia through the negotiation process has to deal with the political realities that he works for us. There's a consensus that's drive when we go to negotiations by this Board and he represents that. At the same time and at no time that he does it in a demeaning fashion and nor does he take sides. He fairly represents and articulates when necessary in negotiations. He certainly has done it in each of the sessions that I've appeared in both in the Police last year and Fire this year. He's truly represented the intent of the Board and he's done so without malice or forethought of malice in dealing with them. I know that he has the utmost respect of all of our town employees and deals with them accordingly.

The other thing Selectman Coutu was trying to get representative from Mal's Pals Laurie to give me a segway to is that I don't know if any of you are aware of it but since the 9/11 Memorial has been complete a couple of organizations in town had solicited my support to help them raise money. I looked at them very carefully. Mal's Pals is a group that has been trying to build the Amphitheater at Benson Park. I remember you (Chairman Jasper) and I having conversations many times after we had secured the property about how nice it would be to have free live band concerts down by Swan Lake on Friday or Saturday evenings. People could come, sit on a blanket on the grass. We had this vision and we talked about it. That's basically what they're trying to do. The Gray family is not a well known family in this community. They wanted to do something to honor the memory of their daughter who was a student in our school system and who died at Boston Children's Hospital. I decided to give them as much support as I possibly can to assist them. Selectman Maddox in the process said I'm a glutton for punishment but I guess I am. It's for the community and I know that if there's anything any of us can do, we certainly go out and we do the best we can. Each of us has our own causes. I've undertaken this one.

However, this is going to be somewhat unique for the Town of Hudson. Selectman Coutu said we are going to have the first annual St. Patrick's Day dinner, dance, and roast at the White Birch. We're going to hopefully sell 200 to 225 tickets. All of the proceeds from that dinner plus any 50/50 raffle proceeds will go towards Mal's Pals. I would like to think of this as being the first annual. I'd like to see this become a tradition. I know they do it in Nashua. We are the 9th largest community in the State. I'd like to think of this as becoming an annual event. Whether I continue to serve on this Board after the election next year, you have to deal with it this year; I think I would enjoy doing something like this. I'm going to MC the event. There's going to be a few surprises. Governor Lynch got wind of my doing this. He called me at the store the other day and said that he's customarily on St. Patrick's Day booked from a breakfast at 6:30 a.m. and his day ends at around 10 p.m. He's going to call me later this week. I'm going to be in Concord Friday by the way. He will be calling me this week to schedule this in. He said if he got there during the cocktail hour, I told him I would stop everything, get him on stage, and get a couple of people to do a number on him, including myself. He said he wanted time to retaliate, say a few words, and then be on his way. Tickets are available. I have them and members of the organization Mal's Pals have tickets. I'll be sending out a few letters to some friends and see if they can raise some other money on the side.

Selectman Coutu wanted to continue to extend my gratitude. I got another envelope this week. The girls received it and put it in my box. People are continuing to donate for the upkeep of the 9/11 Memorial. Though it's long in passing since we dedicated back in September, I really am amazed at the number of people who still go there. The communication that Captain Morin, the Fire Department, and I received relative to people from outside the State of New Hampshire who are looking forward to coming here to see it. We have been designated as the largest municipal 9/11 Memorial in the country dedicated to all 3. The only larger memorials in the country are those at the 3 sites where the incidents occurred - the Shanksville, Pennsylvania, New York, and the Pentagon. So we are the largest in the country. I think that's significant. It certainly puts us on the map and it's at Benson Park to boot. What will be the loveliest park I hope in the State of New Hampshire? If it isn't already, it certainly assumed to be. It's well on its way. With that Mr. Chairman, I know I'll have an opportunity next Tuesday to say the same. Go Pats!

Selectman Jasper - I have a few things. First last night and because I hadn't spoken to you, I didn't go on behalf of the Board but I certainly hope that the Board was behind me. I went to the School Board to talk about their no vote on the recommended raise for the Town Clerk/Tax Collector. I thought it went very well. I explained our position that we're looking at this was not a contract. It wasn't the same. This was one person - 3 percent was appropriate but it came out to a difference of \$72 or \$74 between the \$1,500. I asked if there were any questions and there were none. So I went away feeling good, went home, and later on when they got to their Other Business, that's when all the statements came out about how we were inconsistent in our policy. I became very agitated that the School Board was getting involved in our policy. We haven't gotten involved in their policy. They should be looking at whether or not the Town Clerk was worthy of this raise given that it will be 5 years with no raise and all the things that she has done for the office, they all said great job she did but they were going to continue not support the Warrant Article. I think it's important that we try to get a unanimous vote on that to go to the voters. I think she is well deserving of that. I did have a conversation with the Chair of the School Board this morning as well as with the Superintendent this afternoon. They're meeting again and hopefully there will be a further reconsideration of that. I certainly think that it is not in anyone's benefit if the 2 boards start looking at how we set our policies. I said if you want to go down the road of talking about our policies, I'm sure the Board of Selectmen would be happy to start talking about School Board policies. Hopefully that won't come to that. If that's their basis for not recommending the Town Clerk, the difference is \$72 and it's an inconsistent policy which I do not believe it is. She's an elected official. They would not get off the fact of referring it to as a contract. We do not have a contract with an elected official nor could we have a contract with an elected official. I wanted to bring you up to speed relative to that.

The other thing that Chairman Jasper printed off and didn't bring it tonight. It's not so much that I want to respond directly to the Thumbs Down relative to our tax rate versus Nashua's. I think it is important for people to understand just what a good position we're in. I think most people understand that saying well if Nashua has two thirds more people than we do, our tax bill should be only one third. It doesn't work that way at all. Our level of spending perhaps you could say should be two thirds less than theirs. I have news for everybody in Hudson. If you want that, we need to spend millions and millions more. We have a municipal budget of \$28 million, times that times 3, you're at \$76 million. On that basis, Nashua is \$117 million. So folks we have millions and millions we need to spend to get to the standard that has been suggested. The municipal tax rate is some 40 percent less than Nashua's. Overall, we're something like 10 percent less. The School Board is obviously a little more competitive with Nashua shall we say. On the municipal side which we have control of, people have to stop thinking that somehow we control the school spending and have

anything to do with that separate elected board, separate budget. Our tax rate is 40 percent lower than Nashua. This Town does a fantastic job and I will get that information out there for people to see as we move forward into the budget season.

Chairman Jasper indicated that there are a lot of Bills in Concord that would affect the Towns. There's one I testified against today which would allow - right now you cannot fire cannons or guns in the compact part of town. This would allow cannons and guns to be fired within the compact part of town. Another law says you can't fire within 300 feet of an occupied dwelling a gun but you could start firing the cannons I guess. Of course that wouldn't be a noise violation because under a noise violation you have to be able to measure the decibels. By the time anybody got there with a meter to measure the decibels, that's long gone. I see that as a problematic bill.

There's another one that would take away the voting rights of the School Board members on the Budget Committee and the Selectmen on the Budget Committee. I don't think that's a very good idea. I think that's part of the impetus for us to attend and be active participants. I think we all know if you don't have a vote you're less likely to show up.

Another one which currently the School District meeting can only raise the appropriations 10 percent above the appropriation. That would never happen in Hudson because at this point that would be a \$2.8 million increase. I'm not afraid of that happening but there's a bill that would say that voters would only have the ability to go up or down 2 ½ percent. The problem there is that the reasons sponsors brought it forward is they don't like the people participating in their deliberative session. They don't like that and they don't like their default budget. I think there is a problem with how default budgets are being construed some places. There is legislation to deal with that so that there is a better method of calculating default. Its one person said somebody increased their school budget by \$900,000 on the floor of school district meeting and yet the default budget was still around the same amount. So there's a serious problem there if they went in with a default budget that was \$900,000 more. There's a lot more legislation out there. It's a little bit crazy up there right now. I think at this point that's all I have.

10. NONPUBLIC SESSION

Motion by Selectman Coutu, seconded by Selectman Luszey, to enter into Nonpublic Session under RSA 91-A:3 II (b) The hiring of any person as a public employee, carried 4-0 by roll call.

Nonpublic Session is being entered at 8:24 p.m., thus ending the televised portion of the meeting. Any votes taken upon entering open session will be listed on the Board's next agenda. The public is asked to leave the room.

Open session is being entered at 8:39 p.m.

Motion by Selectman Luszey, seconded by Selectman Coutu, to hire Jonathan Schultz and Michael Tierney as Interns with the IT Department for 150 hours each at no cost as part of their internship, carried 4-0.

Motion by Selectman Luszey, seconded by Selectman Maddox, to hire Betty Holt as a temporary part-time employee in the Engineering Department effective February 1, 2012 for not more than 32 hours per week at a rate of \$19.85 per hour with no benefits, carried 4-0.

11. ADJOURNMENT

Chairman Jasper declared the meeting adjourned at 8:55 p.m.

Recorded by HGTV and transcribed by Donna Graham, Recorder.

HUDSON BOARD OF SELECTMEN

Shawn Jasper, Chairman

Roger E. Coutu, Vice Chairman

Richard J. Maddox, Selectman

Ted Luszey, Selectman